U.S. Application No. 09/965,148

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REMARKS

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The Applicants request reconsideration of the rejection.

The Examiner objected to claim 49 as being dependent on a canceled claim. Corresponding to the Examiner's assumption, claim 49 has been amended to be dependent on claim 1.

Claims 1-2, 5-6, 49 and 54 stand rejected under 35 U.S.C. §102(e) as being anticipated by Pietraskak et al., U.S. Patent Publication No. 2005/0177849 (Pietraskak). The Applicants traverse as follows.

Independent claims 1 and 54 are believed to be patentably distinguishable from Pietraskak in requiring that an exclusive memory area be secured in a storage area, which exclusive memory area is exclusively usable by a provider or a sender of data received by the data receiving apparatus claimed in claim 1 or according to the method claimed in claim 54. To strengthen the patentable features of these claims, claim 1 has been amended to require that the processing unit secures the exclusive memory area in response to a corresponding instruction from a user of the data receiving apparatus other than the provider and the sender of the data, and claim 54 has been amended to require the securing step to be performed in response to a corresponding instruction from a user of the data other than the provider or the sender of the data. Further, claim 1 has been amended to recite that at least one of alteration and deletion of the data is prohibited if based on an instruction from the user, a provider other than the provider, or a sender other than the sender, and claim 54 contains a similar amendment.

In accordance with these amendments, the invention is more clearly patentable as requiring not only that only data sent by a service provider is stored in the area secured, but that the secured area is secured according to the service

6

provider that sends the data, and also that the user secures the exclusive memory area but cannot alter or delete the data in the exclusive memory area. By these features, the exclusive memory area is secured or deleted every time a user secures or deletes the service of the data, which permits efficient usage of the storage. Further, by associating each exclusive memory area with the provider or sender of the data stored therein, each service provider or sender can ensure that access to the data is properly restricted. Pietraskak neither discloses nor suggests these features of the invention.

Claims 1-2, 5-6 and 49-53 stand rejected under 35 U.S.C. §102(e) as being anticipated by Zigmond, U.S. Patent No. 6,698,020 (Zigmond). However, like Pietraskak discussed above, Zigmond fails to disclose or suggest the exclusive memory area and the securing or deleting of data stored therein as now claimed. Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Pietraskak in view of Hanai et al., U.S. Patent Publication No. 2005/0160455 (Hanai). Claim 3 was also rejected as being obvious over Zigmond in view of Hanai. Finally, claim 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Pietraskak in view of Fell et al., U.S. Patent No. 6,674,994 (Fell) and over Zigmond in view of Fell.

However, because neither Hanai nor Fell discloses or fairly suggests the features missing from Pietraskak and Zigmond as discussed above, it necessarily follows that the combination of Hanai or Fell with either Pietraskak or Zigmond, however motivated, fails to render obvious the invention set forth in those claims.
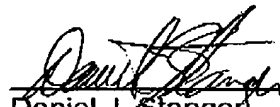
In view of the foregoing amendments and remarks, the Applicants request reconsideration of the rejection and allowance of the claims.

7

U.S. Application No. 09/965,148

To the extent necessary, Applicants petition for an extension of time under 37

CFR 1.136. Please charge any shortage in fees due in connection with the filing of

this paper, including extension of time fees, or credit any overpayment of fees, to the

deposit account of Mattingly, Stanger & Malur, P.C., Deposit Account No. 50-1417

(referencing attorney docket no. H-1014).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

Daniel J. Stanger
Registration No. 32,846

DJS/sdb
(703) 684-1120

8